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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSHYMAR ESTRADA,

Defendant.

CASE NO. 1:22-CR-00149-JLT-SKO

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

DATE: February 1, 2023
TIME: 1:00pm
COURT: Hon. Sheila K. Oberto

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on February 1, 2023.
2. By this stipulation, defendant now moves to continue the status conference until June 7, 2023, and to exclude time between February 1, 2023, and June 7, 2023, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case has been provided. The government is aware of its ongoing discovery obligations.
 - b) The government is amendable to providing a plea offer if the defendant requests one.

1 c) Counsel for defendant desires additional time to confer with his client about a
2 possible resolution, to review discovery, and to otherwise prepare for trial.

3 d) Counsel for defendant believes that failure to grant the above-requested
4 continuance would deny him/her the reasonable time necessary for effective preparation, taking
5 into account the exercise of due diligence.

6 e) The government does not object to the continuance.

7 f) Based on the above-stated findings, the ends of justice served by continuing the
8 case as requested outweigh the interest of the public and the defendant in a trial within the
9 original date prescribed by the Speedy Trial Act.

10 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
11 et seq., within which trial must commence, the time period of February 1, 2023 to June 7, 2023,
12 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
13 because it results from a continuance granted by the Court at defendant's request on the basis of
14 the Court's finding that the ends of justice served by taking such action outweigh the best interest
15 of the public and the defendant in a speedy trial.

16 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
17 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
18 must commence.

19 IT IS SO STIPULATED.

20 Dated: January 25, 2023

21 PHILLIP A. TALBERT
22 United States Attorney

23 /s/ JESSICA A. MASSEY
24 JESSICA A. MASSEY
25 Assistant United States Attorney

26 Dated: January 25, 2023

27 /s/ YAN SHRAYBERMAN

28 YAN SHRAYBERMAN
Counsel for Defendant
JOSHYMAR ESTRADA

ORDER

IT IS SO ORDERED.

DATED: 1/26/2023

Sheila K. Oberto

Hon. Sheila K. Oberto
United States Magistrate Judge